

Application No.: 10/541,178

2002P19801WOUS
Michael STEIBT**REMARKS*****Claim Status***

After entry of this Amendment, Claims 2 - 9 are pending. Claim 1 has been cancelled. By this Amendment, Applicant amends Claims 3 and 9. No new matter has been added.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejects Claim 3 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement because of the limitation "dial laundered on the circuit board." Further, the Examiner questions what the term "laundered" means.

It appears that the translation inadvertently uses the term "laundered" instead of "bonded." In this regard, the present specification explains that it is advantageous for a dial to be bonded onto the printed circuit board. (Page 3, lines 21-23.) Accordingly, Claim 3 is amended to replace "laundered" with "bonded," as set forth in the above listing of claims.

In view of the amendment to Claim 3, Applicant submits that Claim 3 complies with the enablement requirement, and respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 112, first paragraph.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejects Claims 9 and 4 - 7 under 35 U.S.C. § 102(e) as being anticipated by Kino (U.S. Patent No. 6,499,852). That is, the Examiner asserts that Kino discloses each and every limitation recited in Claims 9 and 4 - 7. For example, as to Claims 9 and 4, the Examiner asserts that Kino discloses an instrument cluster having a PCB 100, on which a light source 95 is provided, a frame 50 in which a PCB is held, a display panel 10 arranged directly on the PCB and a light guide. Applicant respectfully traverses.

The Preliminary Amendment filed on July 5, 2005 added a discussion of Kino to the specification. According to that discussion, Kino discloses an instrument cluster for an illuminating device in which light sources 95, 141 are arranged on a printed circuit board (PCB) 100, 142. (E.g., Figs. 2 and 14) The PCB 142 is arranged on the outer circumference of the display dial 31, and the light sources 141 are

Application No.: 10/541,178

2002P19801WOUS
Michael STBIERT

distributed along the circumference of the display dial 31. (E.g., col. 10, lines 62 – 67.) The PCB 142 is fixed on the front surface of the display dial 31. (Col. 11, lines 1 – 2.)

Applicant disagrees that Kino discloses a printed circuit board on which a display panel is directly arranged, as defined in the present application. However, to expedite examination and allowance of the present application, Applicant amends Claim 9, as set forth in the above listing of claims. More particularly, amended Claim 9 further defines that the printed circuit board has a board surface, and that the display panel has a first surface and a second surface, and is arranged directly on the board surface so that the display panel is arranged without a spacing from the printed circuit board, wherein the board surface extends across the second surface.

In this regard, the present specification explains as follows:

It is therefore possible to provide a printed circuit board that is populated on one side and permits the display panel to be arranged directly on the printed circuit board. Since there is no need to provide background lighting for the display panels, the latter need no longer be arranged at a spacing from the printed circuit board, and so the overall height of the instrument cluster can be substantially reduced. (Page 3, lines 8 – 14.)

That is, among other advantages, the claimed instrument cluster allows reducing its height because the display panel is arranged directly on the PCB surface, as defined in amended Claim 9. Further, Fig. 3 shows that the dial 10 is located directly on the PCB 5, and that the board surface extends across the panel's back surface.

As briefly mentioned above, Kino does not disclose an instrument cluster, as defined in Claim 9, for example, because Kino fails to disclose or suggest arranging the PCB and the display panel in such a manner. For example, as shown in Kino's Fig. 14, the PCB 142 is arranged only on the outer circumference of the display dial 31. Therefore, in Kino, a PCB does not extend across a dial's surface.

For at least the foregoing, Applicant respectfully submits that Kino does not disclose or suggest each and every limitation recited in amended Claim 9. Accordingly, amended Claim 9 is not anticipated by Kino. Applicant respectfully requests the Examiner to reconsider and to withdraw the instant rejection under 35 U.S.C. § 102(e).

Application No.: 10/541,178

2002P19801WOUS
Michael STEIERT

Claims 4 – 7 depend from amended Claim 9. These dependent claims recite additional inventive features that are in combination with the features of amended Claim 9 not disclosed or suggested by Kino. The above arguments regarding amended Claim 9 are repeated herewith. Each dependent claim is, therefore, on its own patentable. Accordingly, Applicant respectfully requests the Examiner to reconsider and to withdraw the instant rejection under 35 U.S.C. § 102(e).

Claim Rejections – 35 U.S.C. § 103

The Examiner rejects Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Kino in view of Schommer (U.S. Patent No. 4,207,813). More particularly, the Examiner asserts that Kino discloses the instant invention except for a dial printed on a PCB. The Examiner cites Schommer as disclosing a PCB with various forms of indicia printed thereon. The Examiner concludes that it would have been obvious to provide Kino's device having a dial printed on the PCB, as taught by Schommer. Applicant respectfully traverses.

Further, the Examiner rejects Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Kino. Briefly, the Examiner asserts that Kino discloses the claimed invention except for that the light guide and frame are produced in one piece using a two-component injection molding process. The Examiner concludes that it would have been obvious to produce the light guide and frame in one piece to decrease the quantity of parts and simplify assembling. Applicant respectfully traverses.

As to Claim 9, from which Claim 2 depends, Applicant submits that in Kino's embodiments a display dial is a component separate from a PCB and mounted in a particular manner with respect to the PCB. For example, in Figs. 8 and 9, the display dials 21, 31 are mounted perpendicular to the PCB 100. In Fig. 14, the PCB 142 is arranged on the outer circumference of the display dial 31. In all these embodiments, the display dials do not extend across a PCB. In fact, Kino's display dials are not supported across front or back surfaces.

Absent impermissible hindsight, there is no suggestion or motivation to abandon these Kino's embodiments, and to provide instead an instrument cluster, in which a display panel is arranged directly on the surface of the PCB so that the display panel is arranged without a spacing from the printed circuit board, and wherein the board surface extends across the second surface. Applicant submits that

Application No.: 10/541,178

2002P19801WOUS
Michael STBIERT

Kino's embodiments and the claimed instrument cluster of the present application are based on distinct concepts.

As to the rejection of Claim 2 over Schommer, Applicant submits that a combination of Kino and Schommer does not render amended Claim 9 obvious. Even though Schommer discloses printing on a PCB, Schommer's teaching is not applicable to Kino because Kino's dials are separate from the PCB, the PCB 142 is too small (Fig. 14), or the PCB 100 is perpendicular to the display dial (Figs. 8 and 9).

In view of the foregoing, Applicant respectfully submits that Kino does not disclose or suggest each and every limitation recited in amended Claim 9. Even a combination of Kino and Schommer does not render amended Claim 9 obvious. Accordingly, amended Claim 9 is patentable over Kino or a combination of Kino and Schommer.

Claims 2 and 8 depend from amended Claim 9, and recite additional inventive features that are in combination with the features of amended Claim 9 patentable distinct over the cited references. The above arguments regarding amended Claim 9 are repeated herewith. Claims 2 and 8 are, therefore, on their own patentable. Accordingly, Applicant respectfully requests the Examiner to reconsider and to withdraw the instant rejections under 35 U.S.C. § 103(a) and to pass Claims 2 and 8 to allowance.

In summary, Claim 2 - 9 are patentable over the cited references. Applicant respectfully requests the Examiner to withdraw the instant rejections and to pass Claims 2 - 9 to allowance.

CONCLUSION

The present response is intended to correspond with the Revised Amendment Format. Should any part of the present response not be in full compliance with the requirements of the Revised Amendment Format, the Examiner is asked to contact the undersigned for immediate correction.

For the above reasons, Applicants respectfully submit that the application is in condition for allowance, and such allowance is herewith respectfully requested.

Application No.: 10/541,178


2002P19801WOUS
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Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 502464 referencing attorney docket number 2002P19801WOUS.

Respectfully submitted,

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